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PART II.

Notifications by the Govt. of India; Resident; Chief Judge, &c.

DEPARTMENT OF FINANCE AND COMMERCE.

NOTIFICATIONS.

Simla, the 10th June 1882.

No. 1622.

RESOLUTION.—By the Government of India, Department of Finance and Commerce.

Read—

Despatch from the Secretary of State for India, No. 288, dated 15th September 1881, in which, with reference to the case of Mr. C. E. S. Steele, a Revenue Deputy Collector in the Sind Commission, who was for some time employed under the Government of the Transvaal, the Secretary of State has decided that Mr. Steele cannot be relieved from the usual deduction of one-fifth of his salary under the Transvaal State as contribution to the Government of India towards pension. In this Despatch the Secretary of State desires the Government of India to consider whether the rate of contribution required to be made by officers lent for service under Foreign Governments is not unnecessarily high; and whether it might not be diminished.

RESOLUTION.—Under the Rules in Chapter III of the Civil Pension Code, an Officer of the British Government transferred to Foreign Service is required to pay to the Government of India a contribution out of the salary which he receives while in Foreign Service to meet the cost of his pension and leave allowances exclusive of allowances while on privilege leave. "Foreign Service" includes service under a Native State, Municipality, Port Trust, Court of Wards, or other Body financially independent of the Government of India. It also includes service which is paid for from a Local Fund under such circumstances that it does not qualify for pension and leave under the Rules in the Civil Pension and Leave Codes. The rate of contribution is fixed at 20 per cent of the gross salary which the Officer receives in Foreign Service, the calculation of his pension and leave allowances being made upon 4-5ths of such salary. The contribution is thus equal to 25 per cent of the net pay upon which the Officer's pension and leave allowances are calculated. This rate applies to all Officers, whether Military Officers, Covenanted Civil Servants, or Uncovenanted Officers; but it is specially provided in the case of a Native of India, who is not a Covenanted Civil Servant, that, by resigning all claims to leave allowances from the Government of India in respect of his Foreign Service, he may contribute for pension only.

2. The present rules also provide for the payment of contribution by an Officer whose services are lent for other than Imperial purposes, either in England, or in a British Colony or to a Foreign State; but, except as regards service under the Egyptian Government, the precise amount of contribution in this case is not fixed. The contribution in each case is determined by the Government of India, as occasion arises, the maximum contribution, however, being 20 per cent of the salary received in such Foreign Service.

3. The contribution of 25 per cent on net pay referred to above includes about $12\frac{1}{2}$ per cent on account of pension. The Governor General in Council has no reason to suppose that the rate of contribution for pension has been fixed at an unduly high figure in the case of Covenanted Civil Servants. The contribution on account of allowances while on leave is, however, unduly high, and consequently the general rate of 25 per cent on net pay is capable of reduction to some extent in the case of all Officers. Statistics recently compiled show that the average percentage of Officers of the Covenanted Civil Service on leave other than privilege leave is 14.38. In the case of Uncovenanted Officers, the percentage is still less. On this consideration, and also in view of the present arrangements for the extension of local self-government, in connection with which the Government of India is desirous of facilitating in every reasonable way the lending of Officers to Local Bodies without forfeiture of pensionary rights by the Officers, the Governor General in Council is of opinion that the contribution for pension and leave required to be paid to the Government of India by an Officer of the British Government, who is transferred either to "Foreign Service" as defined in page vii of the "*Definitions*" preceding the Codes of the Financial Department, or whose services are lent for other than Imperial purposes, either in England, or in a British colony or to a Foreign State, shall in future be made—

- (a) if the Officer be a Covenanted Civil Servant,—at the rate of $16\frac{2}{3}$ per cent (one-sixth) on the gross salary which he receives from his foreign employers ;
- (b) in the case of all other Officers,—at the rate of $14\frac{2}{3}$ per cent (one-seventh) on the gross salary which the Officer receives from his foreign employers : provided always that the contribution from an Uncovenanted Officer shall in no case exceed Rs. $166\frac{2}{3}$ a month.

Where a higher rate of contribution is now paid, the rate shall, for the future, be reduced as above; but it must be understood that in all such cases the gross salary will now be readjusted in such manner as to leave the Officer the same net salary which he at present receives.

4. The payment of contributions at the rates now fixed will entitle the Officer to receive from the Government of India, at the proper time, pension and leave allowances (except allowances during privilege leave) in respect of the period of his employment in Foreign Service, &c.; the calculation of pension and leave allowances will be made upon the balance of the salary which remains to the Officer after payment of the prescribed contribution.

5. A Native of India, not being a Covenanted Civil Servant, may, by resigning all claims to allowances from the British Government during leave in respect to the period of his employment in Foreign Service, &c., contribute for pension only. In such case the contribution shall be one-eleventh of the salary which he receives from his foreign employers, and shall not exceed Rs. 100 a month.

6. These Rules are not intended to interfere with the cases of Officers which are specially provided for in Section 10 of the Civil Pension Code (a) to (f). Nor does His Excellency in Council think, by reason of the foregoing change in the rate of contribution in the case of Superior Officers, that any change is necessary in respect of inferior servants, whose case is provided for by Rule 4 under Section 8 of the Civil Pension Code.

Ordered, that this Resolution be communicated to the several Departments of the Government of India ; the several Local Governments ; the Comptroller General, and all Accountants General.

No. 1623.

RESOLUTION—By the Government of India, Department of Finance and Commerce.

Read the following papers regarding the question whether Municipalities may not be properly held liable to bear a share of pensions or gratuities granted for service partly paid from Municipal and partly from Government Funds :—

- Circulars in the Home Department, Nos. 1—7 and 8, and 1—9 to 15, dated 6th January 1881.
- Letter from Chief Commissioner, Assam, No. 165, dated 22nd January 1881.
- Letter from Chief Commissioner, Coorg, No. 1418-94, dated 3rd February 1881.
- Letter from Government, North-Western Provinces and Oudh, No. 196, dated 8th February 1881.
- Letter from Chief Commissioner, Central Provinces, No. 1061-48, dated 31st March 1881.
- Letter from Government, Madras, No. 627, dated 12th April 1881.
- Letter in the Home Department to Government, Madras, No. 87, dated 21st May 1881.
- Letter from Government, Madras, No. 1178, dated 25th June 1881.
- Letter from Government, Panjab, No. 1835, dated 4th July 1881.
- Letter from Chief Commissioner, British Burmah, No. 6171-38, dated 6th September 1881.
- Letter from Resident, Hyderabad, No. 409, dated 26th October 1881.
- Letter from Government, Bombay, No. 3600, dated 29th October 1881.

RESOLUTION.—The question which requires to be dealt with in connection with the papers read above refers to service rendered by an Officer partly under a Municipality and partly under Government at the same time. The case of a Government Officer lent to a Municipality who desires to retain his lien on Government service and his right to pension, is already provided for in the Rules in Chapter III of the Civil Pension Code.

2. The Governor General in Council observes that there are at present no rules under which the service of an Officer who is paid at the same time partly from Municipal funds and partly from Government funds, qualifies for pension and leave. And there is a difficulty in making such rules without change in the law, so as to empower Municipal Boards to pay pensions and leave allowances out of the funds at their disposal.

3. The measures about to be taken in furtherance of the recent policy of Government regarding local self-Government, will lead to the necessity of Municipalities availing themselves of the services of Government Officers to a greater extent than is now the case; but while the existing rules, modified as in Resolution No. 1622 of 10th June 1882, will cover the cases of all Officers whose services are wholly lent to Municipalities, Officers of Government who devote only a part of their time to the performance of municipal duties will be at a disadvantage by reason of their pay in the service of Municipalities not being, under the present rules, taken into account in determining their pension and leave allowances.

4. The Governor General in Council requests accordingly that where the existing law makes no provision for payment by Municipalities of pensions, gratuities and leave allowances of Officers paid partly from Municipal funds and partly from Government funds at the same time, Local Governments will take early measures with a view to legislation being resorted to for removing any difficulties which may be found to exist. If an Officer is paid partly from Municipal Funds and partly from the General Revenues, it would seem reasonable that the Officer should pay to Government a contribution on the portion of his salary which is drawn from Municipal Funds calculated according to the rules in Chapter III of the Civil Pension Code, and in that case Government would be responsible for the whole of his pension and for his allowances while on leave other than privilege leave.

ORDERED, that this Resolution be communicated to the Home Department for the issue of necessary instructions to all Local Governments.

D. M. BARBOUR,
Offy. Secy. to the Govt. of India.

FINANCIAL DEPARTMENT.

DATE OF CLOSING TREASURY ACCOUNTS, CASH BALANCE REPORTS AND ACCOUNTS WITH HER MAJESTY'S TREASURY.

To—The Officers in charge, District and Taluk Treasuries, and of several Courts and Registration Departments, Circular No. 1531, dated 13th July 1882.

In supersession of all previous circular instructions on the subject the attention of all Treasury Officers, District and Taluk, are requested to the following, to have effect from July 1882.

1. The Monthly Treasury Account will (as formerly) comprise all receipts and payments from the first to the last day of every month inclusive and exhibit the cash balances remaining in all the Treasuries at the close of the month. The cash balance report should be despatched as heretofore by the first anche of the same or the following day and the District Treasury Account by the 5th.

2. For the timely adjustment of transactions with Her Majesty's Treasury, the account of such transactions including the taluks, should be made up to the 25th of the month inclusive and despatched to this Office by the first anche thereafter. Transactions from the 26th to the last day of the month should be entered in a supplemental account which should be despatched on the 2nd or 3rd. Precision as to dates is essential to obviate discrepancies between the accounts of Her Majesty's Treasury and as the Imperial Post Offices and other Departments having transactions with the Mysore Treasuries. As exceptions to these dates, the accounts with Her Majesty's Treasury for the month of February should comprise transactions up to the 22nd inclusive and those for March to the 31st.

3. The local Courts and the Registration Offices will include in their returns of fees, fines, &c., all such as are remitted to the Local Treasuries from the first to the last day of each month.

H. HUDSON,
Comptroller.